

REMARKS/ARGUMENTS

Claims 1, 2 and 4 -16 are currently pending in this application. By the present amendment, claims 1, 2, 5, 6, 8, 10, 11 and 13 have been amended and new claims 15 and 16 have been added. No new matter has been introduced into the application by these amendments.

Claim Rejections – 35 U.S.C. §112

Claim 5 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, claim 5 has been amended as suggested in the action. Additionally, Applicant has reviewed the remaining claims for proper antecedents and for any potential formalities and has made minor formalities amendments to claims 2, 6, 8, 10, 11, and 13. As part of these changes, subject matter that was recited in the alternative has been canceled from claims 11 and 13, and has been added to new claims 15 and 16.

Accordingly, withdrawal of the Section 112 rejection of claims 1, 2 and 4-14 is respectfully requested.

Claim Rejections – 35 U.S.C. §102

Claims 1, 4, 4-6 and 8-11 were rejected under 35 U.S.C. §102(b) as anticipated by U.S. 6,035,476 to Underwood et al. Applicant respectfully traverses this rejection.

March 13, 2008 Telephone Interview

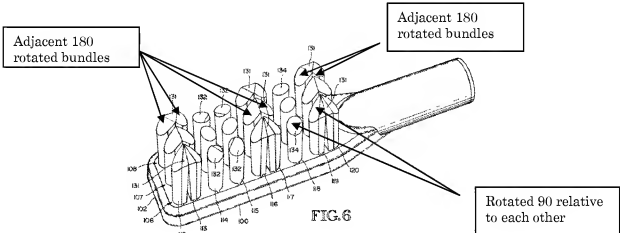
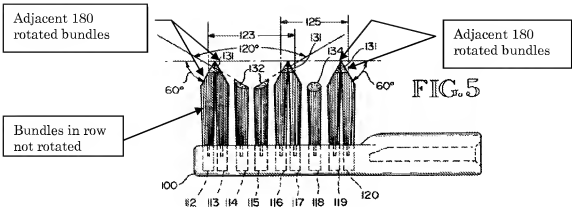
Applicant's undersigned representative discussed this rejection with the Examiner during a telephone interview on March 13, 2008. During the interview, it was noted that in the side view shown in Underwood et al. Figure 5, the inclined surfaces at 117 and 118 were in fact facing rotation directions that were 90° relative to each other. It was further noted that Figure 6, which is the same embodiment as shown in Figure 5 in a perspective view, did not appear to be entirely consistent with

Figure 5 and that it could have been misinterpreted due to the way that the 3D projection was drawn. Further, the specification supports this in that it states that the bristle bundle indicated as B in the Action is beveled “inwardly.” See col. 6, lines 33-34. However, in reviewing this reference in detail, and in particular the angled surfaces indicated at 132 on both 114 and 115, these surfaces are beveled inwardly about the axis created by the 120° bevel angle illustrated in Figure 5 and appear to be facing different rotation directions that are not 90° or 180° relative to each other.

In reviewing this with the Examiner, it was therefore agreed that if claim 1 were amended to recite that each of the bristle bundles of the bristle array having inclined surfaces was arranged rotated relative to each adjacent one of the bristle bundles with an inclined surface by a rotation direction different from 90° or 180° relative to each other that this would define over Underwood et al. as this reference clearly provides the rows of bristles 112, 113, 116, 117, 119 and 120 with adjacent bristle bundles having the identical rotation directions or which are rotated by 180° relative to the adjacent row.

Accordingly, claim 1 has been amended as noted above to recite that each of the bristle bundles (4) of the bristle array (1) with the inclined surfaces (5) is arranged rotated relative to each adjacent one of the bristle bundles of the bristle array having the inclined surfaces (5), with adjacent ones of the inclined surfaces facing rotation directions that are different from 90° and 180° relative to each other.

As discussed during the telephone interview and noted above, Underwood et al. provides rows of bristle bundles with inclined surfaces that are not rotated within the rows (112, 113, 116, 117, 119, 120), or that are rotated only 90° (118, surface 134 compared to 117 or 119) or 180° (112 vs. 113; 116 vs. 117 and 119 vs. 120) with respect to the adjacent bristle bundles. See in particular Figures 5 and 6, reproduced below.



There is no suggestion or disclosure in Underwood et al. of each of the bristle bundles with inclined surfaces being arranged rotated relative to each adjacent one of the bristle bundles having the inclined surfaces, with adjacent ones of the inclined surfaces facing rotation directions that are different from 90° and 180° relative to each other. Accordingly, withdrawal of the Section 102 rejection of claims 1, 2, 4-6 and 8-11 is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 7 and 12-14 were rejected under 35 U.S.C. §103(a) as unpatentable over the combination of Underwood et al. and U.S. 6,735,804 to Carlucci et al. Carlucci et

al. is cited as disclosing a modification of the toothbrush head shape for circular cross-sections. Applicant respectfully traverses this rejection.

Claims 7 and 12-14 depend directly or indirectly from claim 1 and are distinguishable from Underwood et al. for the reasons noted above. With respect to Carlucci et al., this reference also fails to suggest or disclose the features recited in claim 1. Namely, there is no suggestion or disclosure of each of the bristle bundles with the inclined surfaces being arranged rotated relative to each adjacent one of the bristle bundles with the inclined surfaces, with adjacent ones of the inclined surfaces facing rotation directions that are different from 90° and 180°. Thus, the combination of Underwood et al. and Carlucci et al. do not suggest each and every feature recited in claim 1, let alone the additional features recited in claims 7 and 12-14. Accordingly, withdrawal of the Section 103 rejection of these claims is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place the present application in condition for allowance, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience so that any such issues can be resolved.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the present application, including claims 1, 2 and 4-16, is in condition for allowance, and a Notice to that effect is respectfully requested.

Respectfully submitted,

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